

OCT 07 2002

REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/447,023
Filing Date	November 22, 1999
First Named Inventor	Martin F. Berry et al.
Group Art Unit	1761
Examiner Name	Helen Pratt
Attorney Docket Number	00414-046001

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. §1.17(i) required)
- b. Other _____

3. Fee The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

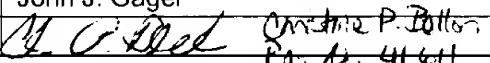
- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1050
 - i. RCE fee required under 37 C.F.R. §1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§1.136 and 1.17)
 - iii. Other Any deficiencies
- b. Check in the amount of \$ 740 enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

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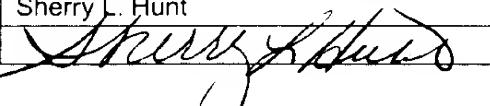
740.00 DP

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	John J. Gagel	Registration No. (Attorney/Agent)	33,499
Signature		Date	September 30, 2002

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Name (Print/Type)	Sherry L. Hunt	Date	September 30, 2002
Signature			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Martin F. Berry et al.
 Serial No. : 09/447,023
 Filed : November 22, 1999
 Title : CRANBERRY PROCESSES AND PRODUCTS

Art Unit : 1761
 Examiner : Helen Pratt

BOX AF
 Commissioner for Patents
 Washington, D.C. 20231

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RESPONSE

In response to the action mailed April 29, 2002, please amend the application as follows:

In the claims:

Please cancel claims 87 and 98 without prejudice.

Please amend claims 70, 97, 99, 100, and 102-108 as follows:

T / --70. A cranberry food product comprising a blended juice, including:
 a cranberry juice component that has a juice anthocyanin content of about 10 mg/100ml or less and
 a component selected from another juice component, water, sweetener or acid,
 wherein the juice component derived from cranberries having said anthocyanin content is the sole component from cranberries in the blend.

D2 97. A cranberry food product comprising a blended juice, including:
 a cranberry juice component that has a juice anthocyanin content of about 10 mg/100 ml or less,
 another juice component, and

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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